

**REMARKS**

**Claim Rejections – 35 USC § 102(b)**

The Examiner rejects claims 1-7 as being anticipated by US 5,400,389 to Niiyama et al. (hereinafter “Niiyama”).

The Applicants do not concede the point, but have amended the claims to further distinguish the claimed subject matter from the prior art. The amendments are supported by the application as filed and can be found, for example, on page 3, lines 7-18, and page 10, lines 12-25 of the specification.

The claims as amended recite an “*application being used to send the commands and/or data to the mobile storage device, wherein the commands include device control operation commands which are limited to be sent to the mobile storage device directly by the operating system.*” The Applicants believe that Niiyama does not teach or suggest the sending of “*device control operation commands which are limited to be sent to the mobile storage device directly by the operating system.*”

An object of the present invention is to resolve the problem that the current operating system may limit the user to send the device control operation command to the mobile storage device, that is, to allow users (including non-administrator) to send commands and/or data to the mobile storage device under the operating system. In order to realize the aforesaid object, the claimed invention provides a method for sending commands and/or data to a mobile storage device. More specifically, the method includes the step of forming data packet comprising information (commands and/or data) and an identification mark for the information and sending the data packet according to the standard write command format to the mobile storage device by use of an application running in the operating system (see the step identified as #2). Because the method of the claimed invention sends the data packet to the mobile storage device according to the write command format, the operating system may regard the data packet as the common data write file, and would not limit sending them. Accordingly, the user can send the commands and/or data which are limited to be sent by the operating system to the mobile storage device.

As noted, Niiyama provides a system comprising a portable remote terminal and an external unit for supplying data to the portable remote terminal, wherein the external unit can send the commands regarding the rewriting process and the data to the portable remote terminal. The apparent object of Niiyama is to rewrite information in a rewritable memory in a portable remote terminal without removing the rewritable memory from the portable remote terminal. It is apparent that the object of Niiyama is completely different from that of the present invention. Furthermore, Niiyama does not mention that the operation program in the terminal unit may limit any command to be sent to the portable remote terminal, and it cannot resolve the problem that the current operating system may limit the user to send the device control operation command to the mobile storage device. Accordingly, Niiyama does not suggest or teach the aforesaid feature in the amended claims. The Applicants respectfully request that the anticipation rejection be withdrawn.

#### **Claim Rejections – 35 USC § 103**

The Examiner rejects claims 8 and 9 as being obvious over Niiyama in view of US 5,884,103 to Terho (hereinafter “Terho”).

Claims 8 and 9 are dependent claims that depend upon claim 1. The Applicants submit that claims 8 and 9 should be allowable at least in view of their dependency on an allowable claim (as shown above).


In addition, the object of Terho is to transmit and receive data through a mobile station network by using a data terminal device connected to a digital mobile station via a standard serial port, which is also different from that of the present invention, and Terho, like Niiyama, does not suggest or teach an *“application being used to send the commands and/or data to the mobile storage device, wherein the commands include device control operation commands which are limited to be sent to the mobile storage device directly by the operating system.”* Therefore, the combination of the cited references do not teach or suggest all of the limitations of claims 8 or 9. The Applicants respectfully request that the obviousness rejection be withdrawn.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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